EXHIBIT 11

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

3   SAN FRANCISCO DIVISION

4

5   WAYMO LLC,

6   Plaintiff,

                                         Case

7   vs.   No. 3:17-cv-00939-WHA

8   UBER TECHNOLOGIES, INC.;

      OTTOMOTTO LLC; OTTO TRUCKING LLC,

9

                      Defendants.

10   _____/

11

12

13   HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

14   VIDEOTAPED DEPOSITION OF GAETAN PENNECOT

15   VOLUME III (PAGES 275 to 478)

16   FRIDAY, JUNE 16, 2017

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22   Reported by:

23   Anrae Wimberley

24   CSR No. 7778

25   Job No. 2641228

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1	found on your computer and that we found on Uber's	10:17:32
2	servers that we're going to be going over today.	10:17:35
3	Is that all right?	10:17:36
4	A. This is correct.	10:17:37
5	MR. JAFFE: I'm going to start with a document	10:17:45
6	labeled UBER00072128. And this is going to be Exhibit	10:17:49
7	106.	10:17:49
8	THE REPORTER: I think you said you're starting	10:17:49
9	with 107.	10:17:49
10	MR. JAFFE: Excuse me. Thank you.	10:17:56
11	107. This will be Exhibit 107.	10:18:14
12	(Plaintiff's Exhibit 107 was marked.)	10:18:21
13	BY MR. JAFFE:	10:18:21
14	Q. Mr. Pennecot, do you recognize the document	10:18:23
15	that I've placed in front of you as Exhibit 107?	10:18:26
16	(Witness reviews document.)	10:19:03
17	A. Yes, I do.	10:19:04
18	Q. What is it?	10:19:05
19	A. This is like a few lens designs I simulated.	10:19:16
20	Q. Why did you create this presentation that's	10:19:20
21	Exhibit 107?	10:19:23
22	A. To chat with James.	10:19:25
23	Q. James who?	10:19:27
24	A. Haslim.	10:19:27
25	Q. The front page of this presentation that	10:19:32

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1	we've marked as Exhibit 107, it says, "Gaetan."	10:19:35
2	You authored this; right?	10:19:39
3	A. This is correct.	10:19:40
4	Q. And you authored it on October 28th, 2016?	10:19:44
5	A. This is what is written, but I believe it	10:19:48
6	took like a few days to get there.	10:19:50
7	Q. Was this -- did you write this before or	10:19:52
8	after the decision was made to create a diode-based	10:19:56
9	LiDAR?	10:19:57
10	A. I don't recall.	10:20:01
11	Q. And you said you created Exhibit 107 to talk	10:20:07
12	with Mr. Haslim.	10:20:07
13	Why did you create Exhibit 107 to discuss	10:20:12
14	with him?	10:20:13
15	A. So we need a basis for like designs, so I	10:20:22
16	took like a few designs that I know and I say this is	10:20:26
17	things that I believed what -- what it should be. So	10:20:36
18	it's to compare.	10:20:38
19	Q. When you said a few designs that you know,	10:20:41
20	what are you referring to?	10:20:42
21	A. So, actually, let's put it this way:	10:20:48
22	Velodyne HDL-64 RX aspheric lens, I just assumed that	10:20:58
23	the Velodyne lens was aspheric. So I don't know -- I	10:21:00
24	don't know it for sure. Like it's possible designs.	10:21:05
25	Q. And if you can turn to the page ending in	10:21:13

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1   135.   10:21:14

2   Do you see there's something called a   10:21:22

3   Benchmark 1 design?   10:21:24

4   A.   Yes.   10:21:24

5   Q.   What does that refer to?   10:21:26

6   A.   This is a lens I had experience with -- it's   10:21:36

7   a lens design that I've already worked on.   10:21:43

8   Q.   When you say "already worked on," what do you   10:21:45

9   mean by that?   10:21:46

10   A.   I worked on a similar lens at Google.   10:21:51

11   Q.   Is this the GBR3 lens?   10:21:54

12   A.   This is the GBR lens, so GBR2, GBR3.   10:21:59

13   Q.   And so the information here describing this   10:22:04

14   lens is really describing Waymo's GBR lens design; is 10:22:09

15   that right?   10:22:10

16   A.   This is not correct.   10:22:11

17   Q.   How is that incorrect?   10:22:14

18   A.   So material is the same, aspheric front   10:22:21

19   surface. So there's -- we use an aspheric surface in 10:22:32

20   front, toroidal surface in the back. And I believe   10:22:38

21   this is the same dimensions, aperture, same focal,   10:22:51

22   however, it's not the same equation.   10:22:55

23   Q.   How do you know it's not the same equation?   10:23:00

24   A.   Because it's impossible to go back to the   10:23:04

25   same equation. I didn't -- you would have to remember 10:23:10

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1	exactly the merit function to end up on the same	10:23:14
2	equation.	10:23:15
3	Q. And you didn't remember the merit function	10:23:17
4	for the GBR lens?	10:23:20
5	A. No.	10:23:20
6	Q. Was the Benchmark 1 design lens your best	10:23:24
7	approximation of the merit function in the GBR design?	10:23:30
8	A. Yes.	10:23:30
9	Q. Looking back at this diagram, there's six	10:23:43
10	emitting points.	10:23:45
11	Do you see that?	10:23:47
12	A. Yes, I do.	10:23:49
13	Q. Why are there six emitting points here?	10:23:53
14	A. These are my optimization angles. Basically,	10:24:02
15	I optimize lenses in different areas. You can	10:24:07
16	optimize a lens on axis, but here I wanted to optimize	10:24:12
17	on different angle. So it's probably 0 degree, 2	10:24:17
18	degree, 4 degrees, 6 degrees, 8 degrees, 10 degrees.	10:24:22
19	Q. So is what's shown here, on page 135 of	10:24:28
20	Exhibit 107, is this showing the -- kind of the layout	10:24:35
21	of where the laser emitters would be or no?	10:24:37
22	A. Not at all.	10:24:39
23	Q. How many channels was the Benchmark 1 design	10:24:48
24	designed for?	10:24:50
25	A. This is just a lens.	10:24:53

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